

MinutesAugust 14, 2001 9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, August 14, 2001, the following members were present:

Gary Feland, Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner

Commissioners Stovall and Rowe were absent but left written votes with the Commission Secretary.

APPEARANCE
Dennis Crawford
Utility Division

(263) In the matter of Montana Power Company, Docket No. D2001.3.30; On August 3, 2001, MPC filed a Motion for Clarification and/or Reconsideration of Accounting Order No. 6355a which was approved by the Commission on July 23, 2001. An order denying the Motion for Reconsideration has been drafted. Commissioner Anderson moved to issue the order denying reconsideration. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

(264) In the matter of Qwest Corporation, Docket No. N2001.8.102; On July 31, 2001, QWEST Communications, Inc, filed Tariff Transmittal 01-25 "Promotional Addendum for NONUTILITY Incentive - Access Line." Business customers who purchase a *Stand-By Line* during the promotional period will be mailed a coupon to verify their name and address. Once the customer returns the coupon, a \$50.00 gift certificate to redeem at an online retail site will be mailed to the customer. The customer must keep the *Stand-By Line* in service for 60 days before the gift card will be mailed. This promotion will be available to new and existing business customers who subscribe to a *Stand-By Line*. The limited time promotion will run from September 4, 2001 through November 2, 2001. Commissioner Anderson moved to approve the promotion. Commissioner Feland seconded the motion, which passed with a vote of 4-1. Commissioners Anderson, Feland, Rowe and Stovall voted aye. Commissioner Brainard dissented.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(265) In the matter of T-01.17.OTSC; On July 19, 2001 an Order to Show Cause was issued to Jill Michelle Richards dba Whitefish Taxi & Kiddie Cab, Palm Springs, California for failure to file liability insurance. The Order to Show Cause was sent via certified mail and received by the addressee on July 26, 2001. There has been no response.

Class B - Passengers between all points and places within Whitefish, Montana and an eleven (11) mile radius thereof. Limitations: 1) Transportation is prohibited south on U.S. Highway 2 at the intersection of U.S. Highway 2 and 40. 2) Transportation is restricted to that provided by vehicles with rated seating capacity of seven or less. 3) Transportation in limousine service is prohibited. 4) Transportation of Burlington Northern crews is prohibited. 5) Transportation of skiers is prohibited to or from the Big Mountain Ski area from Thanksgiving Day through Easter Sunday. 6) Transportation to or from the airport is prohibited.

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Commissioner Brainard moved to approve the cancellation. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

(266) In the matter of TN2107; Mary Belle Harper dba VIP Taxi, Livingston, Montana requests permission to continue the lease of PSC No. 5682 to John P. Bechuck dba VIP Taxi, Livingston, Montana for an eight (8) month period, August 5, 2001 to April 5, 2002.

Class B - Passengers and small packages between all points and places within Livingston, Montana and a fifty (50) mile radius thereof.

Limitations: (1) Movements which both originate and terminate within Bozeman, Montana are prohibited. (2) Transportation service is restricted to cab or taxi service only. (3) Transportation service to be provided is restricted against utilizing vehicles in excess of eight (8) person capacity. (4) Transportation service to or from Gallatin Field in or near Belgrade, Montana, must originate or terminate in Livingston, Montana. (5) Transportation of Burlington Northern crews is prohibited. (6) Truck delivery service is prohibited.

SUB A Class C - Passengers between all points and places in the following counties: Broadwater, Gallatin, Granite, Jefferson, Lewis and Clark, Meagher, Mineral, Missoula, Park, Powell, Sanders, Stillwater, Sweetgrass, and Yellowstone. Limitation: (1) Transportation is limited to the account of Livingston Memorial Hospital or their successors in interest, and (2) Transportation in limousine service is prohibited.

Commissioner Brainard moved to approve the continued lease. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

(267) In the matter of TN2108; Charles Kelly dba Frank' s Service, Kalispell, Montana requests permission to continue the lease of PSC No. 2636 to Frank' s Service, Inc., Kalispell, Montana for a twelve (12) month period August 28, 2001 to August 28, 2002.

Class D - Garbage and refuse only, within the City of Kalispell, Montana, and to or from points tributary thereto, but within a distance not exceeding seven (7) miles in any direction from said city; between Kalispell, Montana and the Kalispell Air Force Station at Lakeside, Montana; and between Kalispell, Montana and the Radar Installation on top of Blackfoot Mountain.

Commissioner Brainard moved to approve the continued lease. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

(268) In the matter of TN2109; Charles Kelley dba Kelly' s Haulaway, Kalispell, Montana requests permission to continue the lease of PSC No. 8976 to Kelly' s Haul Away, Inc., Kalispell, Montana for a twelve (12) month period, August 28, 2001 to August 28, 2002.

Class D - Garbage, refuse, and other items both organic and inorganic within the City of Kalispell, Montana, and between points and places within a ten (10) mile radius of the City of Kalispell.

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SUB A Class C - Scrap materials within the City of Kalispell, Montana, and between points and places within a ten (10) mile radius of the City of Kalispell. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Brainard moved to approve the continued lease. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

APPEARANCE
Laura Calkin
Centralized Services

(268) In the matter of the approval of Commission Minutes; Commissioner Anderson moved to approve the Commission Minutes for the week of August 6, 2001. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

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Matt Brainard, Commissioner

Commissioners Rowe and Stovall were absent but left written votes with the Commission Secretary.

APPEARANCE

Robin McHugh, Will Rosquist

(269) In the matter of the Commission's discussion of Montana Power Company' s application for approval of power purchase agreement with Rocky Mountain Power, Docket No. D2001.7.93; Commissioner Anderson moved to approve the draft order. Commissioner Brainard seconded the motion which passed with a vote of 4-1. Commissioners Anderson, Brainard, Feland and Rowe voted aye. Commissioner Stovall dissented.

APPEARANCE

Robin McHugh, Will Rosquist

(270) In the matter of the Commission's discussion of the implementation of HB 645, electrical energy pool, Docket No. D2001.3.30; Commissioner Anderson moved to approve the draft notice. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

APPEARANCE

Martin Jacobson, Dave Burchett

(271) In the matter of the Commission's discussion of Energy West Montana - Cascade, Docket No. D2000.12.209; Commissioner Anderson moved to approve the draft order. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

APPEARANCE

Martin Jacobson

(272) In the matter of the Commission's discussion of the annual eligible telecommunications certification to the Federal Communications Corporation for receipt of universal service funds; Commissioner Anderson moved to support the affidavit approach with the addition of including proposals for the following year' s expenses. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

APPEARANCE

Robin McHugh

(273) In the matter of the Commission's discussion of the applications for approval of interconnection agreements between Qwest Corporation and PWI Holdings, Inc., dba Pacific West Internet, Docket No. D2001.4.47; Qwest Corporation and Ciera Network Systems, Docket No. D2001.4.48; Qwest Corporation

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and Mountain West Internet, Docket No. D2001.5.51; and 3 Rivers Telephone Cooperative and WWC Holding, Docket No. D2001.6.67; Commissioner Brainard moved to approve the interconnection agreements. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and Stovall voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)